IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.3092 of 2007

Anna @ Sandeep Laxman Bandal ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Ms Revti Mohite-Dere, Advocate for the applicant.

Mr K. V. Saste, A.P.P for the State.

CORAM: V.C. DAGA,J.
DATED: 26TH SEPT, 2007.

P.C.:-

1. Heard learned counsel for the applicant and learned A.P.P.for the State.

2. Perused application and the material available on record.

3. The applicant is seeking bail in connection with C.R. No. 134 of 2007. The applicant is arrested by the Bhor Police Station on 5-9-2007 for the offence punishable under Sections 326, 143, 147,148,504, 506 read with Section 149 of the I.P.C.

4. According to the prosecution, on 4.9.2007 at about 7:00 p.m. the complainant Dnyaneshwar had gone with his friend Dnyaneshwar Pandurang Chorge for dinner to

Hotel "Garva". It is alleged that while having dinner, they were abused by one person to whom the complainant had asked him to behave properly. It is further alleged in the F.I.R., that the applicant told the complainant that the person to whom he had abused was their person as such he asked them to bring sticks. Thereafter four to five persons assaulted the complainant by means of iron rod.

5. The learned counsel for the applicant submits that considering the nature of injury alleged to have been suffered by the complainant none of them could be said to be grievous.

6. Having seen the material on record, the offence alleged and taking into account the bail granted to the other co-accused by the learned Additional Sessions Judge, Pune vide its order dated 13.9.2007 passed in Misc.Cri.Application No. 2713 of 2007, I am inclined to grant bail to the present applicant on following terms and conditions:

(a) The applicant-accused arrested in

C.R.No. 134 of 2007 registered with Bhor Police Station for the offence punishable under Sections 326, 143, 147,148,504, 506 read with Section 149 of the I.P.C. shall be enlarged on bail in the sum of Rs. 25,000/- with one or two local sureties to make up the said amount.

(b) The applicant will not be released unless he furnishes proof of his residential address, as mentioned in the cause title of this application or otherwise, and shall not change the residence without prior intimation to the I.O.

c] The applicant shall report to the concerned Police Station once in a week i.e. on every Saturday in between 5:00 to 7:00 p.m. till conclusion of the trial.

d] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the

prosecution evidence.

e] The applicant shall co-operate with the learned Trial Judge for expeditious disposal of the case. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

7. Application is disposed of in above terms.

(V.C. DAGA,J.)